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EXAMINER
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SMITH, PETER J

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 04/06/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/656,967

Applicant(s)

SNAVELY, AMY J.

Examiner

Peter J Smith

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to communications: application filed on 09/07/2000, IDS filed on 06/25/2002.
2. Claims 1-16 are pending in the case. Claims 1, 8, 15, and 16 are independent claims.

### *Specification*

3. Please update the related application status in pages 1-2 of the specification.

### *Claim Rejections - 35 USC § 112*

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. **Claim 16** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The use of the claim language “A computer program product or computer program element . . .” is not clear as to whether the claim limitations pertain to a computer program product or a computer program element. Changing the claim language to “A computer program product . . .” will particularly point out and distinctly claim the subject matter of the invention.
6. **Claims 2, 6, 9, and 13** contain the trademark/trade names LOTUS NOTES, IBM DB2, and NOTES JAVA SCRIPT. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the

Art Unit: 2176

requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product. A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade names is used to identify/describe databases and an agent and, accordingly, the identification/description is indefinite.

***Claim Rejections - 35 USC § 101***

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. **Claims 8 and 16** are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 8 is directed towards a “hybrid environment including a first database and a second database . . .” As presently drafted, the claim reads on a computer program per se, which does not constitute statutory subject matter as prescribed under 35 USC §101. Applicant could easily render the claimed invention statutory by amending the preamble to recite “a first database and a second database stored on a computer readable medium”.

Claim 16 is directed towards a “computer program product . . .” for executing method steps. As presently drafted, the claim reads on a computer program per se, which does not constitute statutory subject matter as prescribed under 35 USC §101. Applicant could easily render the claimed invention statutory by amending the preamble to recite “A computer program

Art Unit: 2176

product stored on a computer readable medium”. The language in the preamble, “for executing method steps for generating a web presentation in a hybrid environment” does not render the claimed invention statutory because it in effect constitutes intended use. See MPEP §2106:

The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. The following are examples of language that may raise a question as to the limiting effect of the language in a claim:

(A) statements of intended use or field of use,

Therefore, the intended use language does not limit the claim, and cannot be given patentable weight or a cause for the preamble to be statutory.

### ***Claim Rejections - 35 USC § 102***

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. **Claims 1, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Lloyd, US 6,460,041 B2 priority filed 04/26/2000.**

**Regarding independent claim 1**, Lloyd discloses writing page display hypertext markup language to a browser display in fig. 6-7, and col. 8 lines 20-47. Lloyd discloses executing an agent to read data from a database table in fig. 7 and col. 2 line 56 – col. 3 line 22. Lloyd

Art Unit: 2176

discloses dynamically populating the data to the page display in fig. 6-7, col. 2 line 56 – col. 3 line 22, and col. 12 lines 22-27.

**Regarding independent claim 15**, Lloyd discloses writing page display hypertext markup language to a browser display in fig. 6-7, and col. 8 lines 20-47. Lloyd discloses executing an agent to read data from a database table in fig. 7 and col. 2 line 56 – col. 3 line 22. Lloyd discloses dynamically populating the data to the page display in fig. 6-7, col. 2 line 56 – col. 3 line 22, and col. 12 lines 22-27.

**Regarding independent claim 16**, Lloyd discloses writing page display hypertext markup language to a browser display in fig. 6-7, and col. 8 lines 20-47. Lloyd discloses executing an agent to read data from a database table in fig. 7 and col. 2 line 56 – col. 3 line 22. Lloyd discloses dynamically populating the data to the page display in fig. 6-7, col. 2 line 56 – col. 3 line 22, and col. 12 lines 22-27.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. **Claims 2, 4, and 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, US 6,460,041 B2 priority filed 04/26/2000 in view of Lin et al. (hereafter referred to as Lin), US 6,052,785 filed 11/21/1997.**

**Regarding dependent claim 2**, Lloyd does not specifically teach the use of Lotus Notes or IBM DB2. Lin does teach a Lotus Notes and IBM DB2 environment with an agent being a Notes Java Script agent and a database being a relational database in fig. 1 and col. 2 lines 27-56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used widely supported and commonly used database types so that the invention could have been efficiently implemented.

**Regarding dependent claim 4**, Lloyd teaches varying access authority to the database to present in selected field so of the browser display straight text or text with hyperlinks in col. 2 lines 45-55 and col. 8 lines 48-59, and col. 35-64. Lloyd does not specifically teach the use of a role table to determine the access authority. Lin does teach the use of a role table to determine the access authority in fig. 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used the role table taught by Lin to implement the access authority for Lloyd so that the access authority could have been well organized and secure.

**Regarding independent claim 8**, Lloyd teaches a browser for displaying a page of hypertext markup language in fig. 6-7 and col. 8 lines 20-47. Lloyd does not teach a first database for storing code and tables implementing an application or a second database for storing data referenced by the application. Lin does teach a first database for storing code and tables implementing an application in fig. 1, 3-5, and col. 2 lines 27-56. Lin does teach a second database for storing data referenced by the application in fig. 1, 3-5, and col. 2 lines 27-56. It

Art Unit: 2176

would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used a hybrid database environment to employ the respective strengths of each database type and to have used widely supported and commonly used database types so that the invention could have been efficiently implemented.

**Regarding dependent claim 9**, Lloyd does not specifically teach the use of Lotus Notes or IBM DB2. Lin does teach a Lotus Notes and IBM DB2 environment with an agent being a Notes Java Script agent and a database being a relational database in fig. 1 and col. 2 lines 27-56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used widely supported and commonly used database types so that the invention could have been efficiently implemented.

**Regarding dependent claim 10**, Lloyd teaches the use of conditional logic to control data queried from a database in col. 9 lines 6-17. Lloyd does not specifically teach that the conditional logic can control the look of the browser display to accommodate the various types of data. Lloyd does teach that the conditional logic may contain other executable instructions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the conditional logic taught by Lloyd to have modified the browser display such that all the data contained in the database could have been accommodated in the web presentation.

**Regarding dependent claim 11**, Lloyd teaches varying access authority to the database to present in selected field so of the browser display straight text or text with hyperlinks in col. 2 lines 45-55 and col. 8 lines 48-59, and col. 9 lines 35-64. Lloyd does not specifically teach the

Art Unit: 2176

use of a role table to determine the access authority. Lin does teach the use of a role table to determine the access authority in fig. 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used the role table taught by Lin to implement the access authority for Lloyd so that the access authority could have been well organized and secure.

**13. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, US 6,460,041 B2 priority filed 04/26/2000.**

**Regarding dependent claim 3,** Lloyd teaches the use of conditional logic to control data queried from a database in col. 9 lines 6-17. Lloyd does not specifically teach that the conditional logic can control the look of the browser display to accommodate the various types of data. Lloyd does teach that the conditional logic may contain other executable instructions. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the conditional logic taught by Lloyd to have modified the browser display such that all the data contained in the database could have been accommodated in the web presentation.

**14. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, US 6,460,041 B2 priority filed 04/26/2000 in view of Johnson et al. (hereafter referred to as Johnson), US 6,023,683 patented 02/08/2000.**

**Regarding dependent claim 5,** Lloyd teaches using a web browser for accessing a database in fig. 6 and col. 2 line 62 – col. 3 line 5. Lloyd does not teach an electronic requisition

Art Unit: 2176

catalog application implemented via a database table comprising a relational database for storing catalog data. Johnson does teach an electronic requisition catalog application implemented via a database table comprising a relational database for storing catalog data in fig. 1 and col. 3 lines 3-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Johnson into Lloyd to have created the claimed invention. It would have been obvious and desirable to have implemented the requisition catalog application of Johnson within the web browser database access invention of Lloyd so that the user could have had easy access to the databases through the use of the web browser.

**15. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, US 6,460,041 B2 priority filed 04/26/2000 in view of Johnson et al. (hereafter referred to as Johnson), US 6,023,683 patented 02/08/2000 as applied to claim 5 above, and further in view of Lin et al. (hereafter referred to as Lin), US 6,052,785 filed 11/21/1997.**

**Regarding dependent claim 6,** Lloyd does not specifically teach the use of a Lotus Notes database or an IBM DB2 relational database. Lin does teach a database being a Lotus Notes database and a relational database being an IBM DB2 database in fig. 1 and col. 2 lines 27-56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used widely supported and commonly used database types so that the invention could have been efficiently implemented.

**Regarding dependent claim 7,** Lloyd teaches varying access authority to the database to present text with hyperlinks to users authorized by the role table to edit the selected fields and

Art Unit: 2176

otherwise presenting straight text in col. 2 lines 45-55 and col. 8 lines 48-59, and col. 9 lines 35-64. Lloyd does not specifically teach the use of a role table providing indicia defining a role and access authority level of the web user identifier for a user operating the browser to access said code and data. Lin does teach the use of a role table providing indicia defining a role and access authority level of the web user identifier for a user operating the browser to access said code and data in fig. 3 and col. 7 lines 20-27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the combined invention. It would have been obvious and desirable to have used the role table taught by Lin to implement the access authority for Lloyd so that the access authority could have been well organized and secure.

**16. Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lloyd, US 6,460,041 B2 priority filed 04/26/2000 in view of Lin et al. (hereafter referred to as Lin), US 6,052,785 filed 11/21/1997 as applied to claim 11 above, and further in view of Johnson et al. (hereafter referred to as Johnson), US 6,023,683 patented 02/08/2000.**

**Regarding dependent claim 12,** Lloyd teaches using a web browser for accessing a database in fig. 6 and col. 2 line 62 – col. 3 line 5. Lloyd does not teach an electronic requisition catalog application implemented via a database table comprising a relational database for storing catalog data. Johnson does teach an electronic requisition catalog application implemented via a database table comprising a relational database for storing catalog data in fig. 1 and col. 3 lines 3-24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Johnson into Lloyd to have created the claimed invention. It would have

Art Unit: 2176

been obvious and desirable to have implemented the requisition catalog application of Johnson within the web browser database access invention of Lloyd so that the user could have had easy access to the databases through the use of the web browser.

**Regarding dependent claim 13**, Lloyd does not specifically teach the use of a Lotus Notes database or an IBM DB2 relational database. Lin does teach a database being a Lotus Notes database and a relational database being an IBM DB2 database in fig. 1 and col. 2 lines 27-56. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the claimed invention. It would have been obvious and desirable to have used widely supported and commonly used database types so that the invention could have been efficiently implemented.

**Regarding dependent claim 14**, Lloyd teaches varying access authority to the database to present text with hyperlinks to users authorized by the role table to edit the selected fields and otherwise presenting straight text in col. 2 lines 45-55 and col. 8 lines 48-59, and col. 9 lines 35-64. Lloyd does not specifically teach the use of a role table providing indicia defining a role and access authority level of the web user identifier for a user operating the browser to access said code and data. Lin does teach the use of a role table providing indicia defining a role and access authority level of the web user identifier for a user operating the browser to access said code and data in fig. 3 and col. 7 lines 20-27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have combined Lin into Lloyd to have created the combined invention. It would have been obvious and desirable to have used the role table taught by Lin to implement the access authority for Lloyd so that the access authority could have been well organized and secure.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sheard et al., US 6,208,345 B1 filed 06/08/1998 discloses a visual data integration system which includes a transport framework that represents a technology-independent integration mechanism that facilitates the exchange of technology-dependent data between disparate applications. Adapter W in fig. 3 represents a web browser which may be used to view the data. Maxwell et al., US 6,589,290 B1 filed 10/29/1999 discloses populating a form with data. Garrison, US 6,336,114 B1 filed 09/03/1998 discloses restricting access to a data table within a database.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter J Smith whose telephone number is 703-305-5931. The examiner can normally be reached on Mondays-Fridays 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

PJS  
March 19, 2004

  
**JOSEPH FEILD**  
**SUPERVISORY PATENT EXAMINER**